

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:18-cv-200-FL

SHAWNA CANNON LEMON,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	DEFENDANTS'
	)	MOTION TO DISMISS
	)	(Fed. R. Civ. P. 12(b)(6))
MYERS BIGEL, P.A., formerly known	)	
as "Myers Bigel & Sibley" and	)	
"Myers Bigel Sibley & Sajovec, P.A.,"	)	
LYNNE A. BORCHERS and	)	
UNAMED OTHERS	)	
	)	
Defendants.	)	

Pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, defendants Myers Bigel P.A. ("Myers Bigel") and Lynne Borchers ("Borchers") hereby move the Court for the entry of an order dismissing the Title VII and 42 U.S.C. § 1981 claims by Plaintiff Shawna Cannon Lemon ("Lemon") for race and gender discrimination on the grounds that they fail to state a claim upon which relief can be granted.

The grounds supporting this motion are set forth in the Memorandum of Law submitted herewith.

This the 6<sup>th</sup> day of August, 2018.

SMITH, ANDERSON, BLOUNT, DORSETT,  
MITCHELL & JERNIGAN, L.L.P.

By: /s/ Kerry A. Shad  
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Attorney for Defendants

CERTIFICATE OF SERVICE

This is to certify that on this day, I electronically filed the foregoing document with the Clerk of Court, using the CM/ECF system, which will send notification of such filing to the CM/ECF participants as addressed below:

J. Heydt Philbeck  
Bailey & Dixon, LLP  
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This the 6<sup>th</sup> day of August, 2018.

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